IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE**

**and**
**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 12056 of 2001**

**And**

**W.P.M.P.No.14950 of 2001**

**WRIT PETITION NO : 12056 of 2001**

Between:

1 K.Siva Kumar Reddy, son of Ramachandara Reddy,
Plot No. 116., Telecom Nagar, Sherilingampally, Hyderabad.
2 P.Rameshwar Reddy, son of Ramachandra Reddy,
Plot No.17, Sherlingampally, Hyderabad.

**..... PETITIONERS**

AND

1 Sherilingampally Municipality, rep. By its
Commissioner, Sherilingampally ,, Hyderabad.
2 Municipal Engineer, Sherilingampally Municipality,
Sherilingampally, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in laying the underground drainage pipeline from RTTC Gate to the end of the colony without making arrangements for disposal of the drain water and allowing them to be let out into open as illegal and arbitrary and consequently direct the respondents not to allow

the drain water to be let out into open from the drainage pipeline.

**Counsel for Petitioners: MR. B.ADINARAYANA RAO**

**Counsel for Respondents : MR. V.VISWANATHAM**

**W.P.M.P. NO : 14950 of 2001**

Between:

1 K.Siva Kumar Reddy, son of Ramachandara Reddy,
Plot No. 116., Telecom Nagar, Sherilingampally, Hyderabad.
2 P.Rameshwar Reddy, son of Ramachandra Reddy,
Plot No.17, Sherlingampally, Hyderabad.

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Commissioner, Sherilingampally ,, Hyderabad.
2 Municipal Engineer, Sherilingampally Municipality,
Sherilingampally, Hyderabad.

**.....RESPONDENTS**

Petition under Section 151 C.P.C praying that in the circumstances stated in the accompanying Affidavit, the High Court may be pleased to stay the execution/laying of underground drainage pipeline from RTTC Gate to the end of the colony till arrangements for discharge from such pipeline are adequately made.

**Counsel for Petitioners: MR. B.ADINARAYANA RAO**

**Counsel for Respondents : MR. V.VISWANATHAM**

**The Court made the following ORDER:**

(per The Hon'ble The Chief Justice Sri Devinder Gupta)

This writ petition is filed by the petitioners who are residents of Telecom Nagar, Sherilingampally, Hyderabad seeking to declare the action of the 1st respondent – Municipality in laying the underground drainage pipeline from RTC gate to the end of the colony without making arrangement for disposal of the drain water and allowing the same to be let out into open as illegal and arbitrary. The second prayer made was to direct the respondents not to allow drain water to be let into open land.

After notice there was no response from the respondents and thus on the petitioners' prayer for interim relief, on 22-6-2001 it was directed that unless the respondents

make adequate arrangements for discharge from the pipe lines after the compound wall, they shall not undertake execution of the underground drainage system.

Despite the fact that interim order was passed on 22-6-2001 and was duly served upon the respondents, no steps have been taken by the respondents to either get this order vacated or to file counter-affidavit. Accordingly, we proceed to allow the writ petition and we make the interim order as final order in the writ petition. Writ petition is allowed.

W.P.M.P.No.14950 of 2001

In view of the order in writ petition, no further order is necessary in this petition. It is accordingly disposed of.

ASSISTANT REGISTRAR

**16th June, 2004.**

// TRUE COPY //

**SECTION OFFICER**